

December 19, 2007

Honorable Judge Catherine Blake  
United States Courthouse  
101 West Lombard Street  
Baltimore, Maryland 21201

RECEIVED IN THE OFFICE OF  
CLERK  
BLAKE

DEC 21 2007

UNITED STATES COURT

Dear Judge Catherine Blake:

First and foremost, happy Holiday Season to you and I pray that God continues to bless you with the wisdom to carry out justice as you see fit.

I am humbly and respectfully submitting this letter in the light of the recent decision by the United States Sentencing Commission regarding the guidelines. I am sure that you are aware the recent developments concerning the retroactive application of Amendment 706, which allows a reduction for sentences involving crack or cocaine base.

Due to the nature of my case, I wanted to inquire if my efforts to seek modification of my 168 month sentence would be in vain. After already serving 8 1/2 years thus far, it is not my intent to waste the time of the court with a frivolous motion.

My case number is CCB-99-0541 and I was sentenced on May 12, 2000. My original charging information was for possession of an unspecified quantity of cocaine base and was later superseded to conspiracy involving an unspecified quantity of cocaine powder. The quantity of cocaine that served as the foundation of my base offense level, 50-150 kilos, was determined by the probation office using the now illegal preponderance of the evidence standard.

Nonetheless, the evidence that was used to convict and sentence me included approximate 200 grams of crack and over 700 grams of powder cocaine, the only tangible drug evidence. One can easily presume that the presence of crack influenced the determination of a quantity of powder that would mirror a base offense level for an amount of crack that would trigger the desired sentencing range. However, the quantity of 50-150 kilos is vastly different from the tangible evidence. Using the marijuana conversion for multiple drugs and the related adjustments, my sentence could be modified to a more reasonable sentence.

I would also like to briefly mention that I qualify for a sentence adjustment based on USSC 5G1.3(b), which allows a judge to reduce a sentence for time served in state prison for an offense that was used as relevant conduct in the instant federal offense.

The court may also consider rehabilitation efforts, if they are deemed exceptional. I have included a resume to give you an idea of how my time has been used during my incarceration as I prepare for re-entry. With one degree under my belt, I am currently working on another. I am also a candidate for a \$3500 scholarship at the Clayton College of Natural Health. I have even served as the institution yoga instructor for 1 year.

Again, this is an informal letter to inquire whether filing a motion

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pursuant to 18 USC 3582 has any chance of being beneficial to me.

I thank you in advance for your time and pray that there is even the slightest possibility that I have a chance at any relief.

Sincerely

A handwritten signature in cursive script, appearing to read "James Scott", written in dark ink.

James Scott  
#33922-037  
FCI Morgantown  
PO Box 1000  
Morgantown, WV 26507

## JAMES BERNARD SCOTT III

4204 Hanwell Road Randallstown, MD 21133  
410-521-3338

**OBJECTIVE:** I would like an opportunity to utilize as well as enhance my leadership, organizational and analytical skills in pursuit of my goal to empower others to meet their mental, physical and spiritual needs.

**EDUCATION:** 2007-Present Penn Foster College Scranton, PA  
Business Management Studies

2006-2007 Fairmont State Univ. Fairmont, WV  
Earned Computer Aided Design Skills Certificate

2003-2006 Penn Foster College Scranton, PA  
Achieved Sum Cum Laude in Business Management and Finance

1995-1998 Univ. of MD Eastern Shore Princess Anne, MD  
Criminal Justice Studies

## PROFESSIONAL

**EXPERIENCE:** 2007-Present FPI Morgantown-RTIS Morgantown, WV  
*Patent Training Clerk*

- Instruct new hires in patent formatting rules.
- Provide floor support and answer questions.
- Create necessary up-training for patent briefers.
- Maintain training files for all employees.

2005-2006 SCI LIVE Morgantown, WV  
*Call Center Agent*

- Handled inbound and outbound sales calls.
- Participated in company up selling campaigns.
- Processed sales orders.
- Cross-trained and simultaneously sold numerous campaigns.

2003-2005 FPI UNICOR Estill, SC  
*Quality Assurance Statistical Analysis Clerk*

- Processed and maintained product warranties and complaint forms.
- Coordinated the receipt, repair and reshipment of all returned units.
- Performed internal audits as part of a team.
- Created proactive measures based on the nature of complaints, in-house testing, research, and reports from the EPA.
- Reported results and progress to management on a monthly basis.

2002-2003 FPI UNICOR Estill, SC

*Customer Sales Rep and Production Clerk*

- Processed daily list of customer orders using SAP software.
- Created contracts for all accepted business proposals and statements of work.
- Tracked production schedules to coordinate the scheduling of product shipments.
- Monitored production requirements and provided job sheets to factory workers.
- Facilitated the movement of finished goods from the factory to the warehouse.
- Provided weekly status reports of open sales orders to management.

2001-2002 FPI UNICOR Estill, SC

*Quality Control Technician*

- Served as quality control technician over the factory starter line.
- Ensured that in-process building procedures for remanufactured units were performed properly.
- Managed each step of the building process from initial breakdown to final test by stamping history cards as each process was completed.

**AWARDS**

**RECEIVED:**

- Quality Assurance Employee of the Month, May 2004 and April 2005
- UNICOR Scholarship, December 2004
- Penn Foster College Dean's List publication
- Delta Epsilon Tau National Honor Society induction

**PROFESSIONAL**

**MEMBERSHIPS:** The Henry George Institute

**ACCREDITATIONS:**

- OSHA Safety and Outreach Training Program, April 2005
- ISO 9001 Auditor Training, June 2004
- National Center for Construction Education and Research HVAC I & II
- National Federation of Professional Trainers 1<sup>st</sup> Class Certification, May 2002

**INTERESTS AND**

**ACTIVITIES:** Writing Poetry, Reading, and Weight Lifting